

DEAV2003/0001 US NP  
Application No. 10/751,600

PATENT

Remarks/Arguments

Upon entry of the foregoing amendments, claims 1 to 3, and 5 will be pending in the present patent application. Claims 1 and 3 have been amended, without prejudice. Claim 3 has been amended for editorial purposes. Claims 4 and 6 are withdrawn, without prejudice to their presentation in a later-filed divisional application.

In view of the foregoing amendments and the following remarks, reconsideration and withdrawal of the objections and rejections are respectfully requested.

Discussion of the Rejection under 35 U.S.C. § 102(b)

Claim 1 has been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nuhrich and Moulines, "Cyclisation de N-Tosyl Oxiranes-Propylamines: Synthèse D'Heterocycles Azotes", Tetrahedron, 47(18-19):3075-3088 (1991) in view of the alleged disclosure of stereoisomers of N-tosylperhydrocyclopenta[b]pyrrole-2-carboxylic acid (Action at 2 to 5). Applicants have further amended claim 1 such that the disclaimer now includes the stereoisomers of the each of the recited compounds:

wherein N-[(3,5-dichlorobenzene)sulfonyl]-(3a(S), 7a(S))-octahydro-indole-2(S)-carboxylic acid and its stereoisomers and N-tosylperhydrocyclopenta[b]pyrrole-2-carboxylic acid and its stereoisomers are disclaimed.

Applicants wish to thank Examiner Freestein for indicating on March 3, 2006 during a telephone conference that this amendment was sufficient to overcome the rejection. Reconsideration and withdrawal of the rejection are nonetheless requested respectfully.

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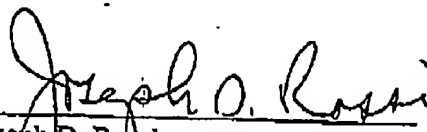
Conclusion

Applicants respectfully submit that this application is now in condition for allowance. Accordingly, an indication of allowability and an early Notice of Allowance are respectfully requested. If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (908) 231-3410.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,

Dated: March 6, 2006

  
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